

# ACCOUNT OF THE PROCEEDINGS

AGAINST  
**John Aylott,**

AND  
**Richard Nelthorpe Esquires**

AT THE  
**Kings-Bench-Bar,**

On the 27th. of October, 1685. Relating to their award of Death, upon their being Out-Lawed for *High-Treason*, in conspiring the Death of his late most Sacred Majesty, *Charles* the Second of Ever Blessed Memory: Together with their Behaviour, Confession, and Manner of Execution on the 30th. of October, in the year aforesaid: On which day, *Richard Nelthorpe* was executed on a Gibbet Erected at *Greys-Inn-Gate* in *Holborn*, and *John Aylott* on a Gibbet Erected at *Chancery-Lane End* in *Fleet-street*: Both Quartered as in Case of *High-Treason*.

Such are the horrid crimes of Treason and Murder, that by daily experience we see they seldom go unpunished even in this life. The Wise man gives wholesome advice when he fore-warns men to take heed they do not chafe the King, altho' it be in their secret Chamber, lest the Fowles of the Air make discovery thereof: much more ought men to Tremble at the thoughts of any undertaking against the life of God's Vicegerent. It is a horrid murder for a private man to compass the Death of his Father; and much more horrid the Father of his Country; for altho' men may think to flee out of one Country into another, and secure themselves from the vengeance due to such crimes, yet Providence so orders it, that those very methods they take for their security, commonly brings them to Justice; as we have a fresh Example of the persons now brought thither.

*John Ayliff* and *Richard Nelthorpe* Esqrs. among whose Education is against them and who were not Ignorant of the Law; yet having once violated the same, by joyning in the horrid Conspiracy against the life of the mercifulest of Kings, his late Majesty of ever blessed memory, his present Majesty, the utter subversion of the Government, &c. They were not content, by fleeing from Justice to live in contempt of the Law, but to employ that time God permitted for their Repentance, in the enterprize of fresh Treasons against his most sacred Majesty that now is.

*John Ayliff* took his lot with the late Earl of *Argyle* getting up for one of the Rulers of the *Scottish* Commonwealth, and after the design was blasted, and he amongst others taken, the sense of his Guilt run him forthwith upon the Rock of Despair, by laying violent hands upon himself, and with a Pen-Knife or other Instrument which he carried about him he rips up his own belly as far as Nature would suffer him; but God in Mercy to his Soul, so ordered it, that he did not Dye thereof, but after a long illness Recovered and was with others of those Traytors brought for *England*, and soon after committed to *Newgate*; where he remained Eight or Ten Weeks. *Richard Nelthorpe*, a Person brought up to that Law, but leaving that Study engaged in the Rat-houle confederacy, and with the said *Ayliff* became himself attainted by Our Lawry of *High Treason*, was of those who came over with the late Duke of *Armenack*, and one of the principal Captains in that *Western* Rebellion, upon after the defeat of the Rebels, being taken and committed to some Goal in the *West* Country, was from thence brought to *Newgate*, where his Crimes had little better Effect (then the other in

*Scotland*) behaving himself for some time like a Person distracted, and very impatient under the sufferings which his *Treason* had brought upon him.

On Monday the 26th. of October, 1685. Upon the motion of the King's Council, a *Habeas Corpus* was granted, to bring up these two Criminals to the King's Bench-Bar at *Westminster*, and being accordingly on Tuesday the 27th. Ditto, brought up by the Keeper of *Newgate* to the said Bench, the Lord Chief Justice *Herbert*, and the other Judges of that Court sitting on the Bench.

First, Mr. *Ayliff* was called to hold up his hand, and told that he had been indicted by the Name of *John Ayliff* late of *London* Esq; for *High Treason* in conspiring the Death of his late Majesty, the subversion of the Government &c. That he had thereupon been Our Lawry, and stood attainted of *High Treason*, was therefore askt what he had to say why Judgment should not be awarded, for him to dye according to Law.

To which Mr. *Ayliff* at first replied he had been out of the Land and did not know of it, at last said, that he had seen or heard only of a printed Tryal of Captain *Walton*, wherein Mr. *West* had made some mention of him; but he desired to know what was sworn against him by the Witnesses.

Then the same Method being used to Mr. *Nelthorpe*, he answered very little, only said he had not conspired the Death of the King.

After that, the Lord Chief Justice in an Excellent Speech, declaring that it was no hard case for Traytors to be Executed upon an Our-lawry, and how inexcusable they of all men were, who had not only fled from Justice, deprived themselves of a Tryal, by standing in contempt of the Law, but engaged since in other



other Treasons and Rebellions; his Friends also giving them divers Christian admonitions, to improve the short time they had left for the good of their Immortal Souls.

In conclusion told them, that nothing remained for that Court but to award Judgment upon the Outlawries. And a Rule was made for their Execution on *Fryday* the 30th day of the said Moneth, as in Cases of High Treason.

Mr. *Ayloff* then desired he might have the liberty of his Friends coming to him, and the same being granted, provided it was in the presence of a Keeper, they were remanded to *Newgate*.

On *Thursday* the 29th *Ditto*, one of his Majesties Council moved the Court of Kings Bench, that where as a Rule was made for the Execution of the said *John Ayloff* and *Richard Nelthorp* as the next day; for a more publique Example, one of them, *viz.* *Ayloff* might be Executed over against the *Temple Gate* in *Fleet-street*, and *Nelthorp* against *Graves Inn* in *Holborun*, to which Inns of Courts they did formerly belong when they Studied the Law; and the Court ordered it to be done accordingly.

Pursuant to which Rules of Court on *Fryday* the 30th *Ditto* about ten in the Forenoon, first *Richard Nelthorp* was drawn from *Newgate* on a Sled, to a Gibbet erected over against *Graves Inn Gate*; he had on a Black Sute, and two in Black Habit went by the Sled, *viz.* on each side one. After it followed an Elderly Person also in Mourning, he was but a short time at the Gibbet before Executed, he spoke to several that were near him with a seeming cheerfulness, Praying also with great

earnestness, and to appearance at this last moment of his life submitted with greater patience to the punishments which his Treasonable practices had brought upon him, then he did during his Imprisonment; very readily, addressing himself to undergo the Sentence which the Law had pronounced. He had on a White Sattin Cap over a Linnen one, and himself helped to pull it down over his Face. Being turned off, he Hanged the usual time, and then was Quartered, &c.

*John Ayloff*, by some called Col. *Ayloff*, according to the Rule of Court made for his Execution, was delivered by the Keeper of *Newgate*, on the 30th. of *October* to the Sheriffs of *London* and *Middlesex*, between Ten and Eleven in the Morning; when being put into a Slead; he was conveyed through the *Old-Bayly* and *Fleet-street* to a Gibbet Erected between *Chancery-Lane* End, and one of the *Temple Gates*, where upon his arrival being in the Slead, he confessed that he was in the Rebellion raised by *Argile* in *Scotland*, and was Conscious of the late Conspiracie, that he suffered justly and deservedly, praying for the King, and desiring the Prayers of all people, but more especially of those that were Spectators; after which and the like Expressions, he came out of the Slead, again, and desired God to bless all present, lifting up his hands and Eyes towards heaven, when looking upon the Gibbet he ascended, and in ascending, repeated his Prayers for the People, praying to God to keep them in the right way of Loyalty and Obedience, &c. and to preserve the Protestant Religion; being ascended, he prayed a while to himself, and turning at the request of the Executioner, his Back to the Ladder; he said that he was now willing to dye

but bid the Executioner not to  
cut him off till he gave notice; the  
signal being the lifting up his hands;  
when being bid to go somewhat low-  
er on the rounds of the Ladder, the  
fooner to put him out of his pain,  
when turned off, he after having  
prayed a while, said he was ready,

other Treasons and Rebellions  
Biding the Executioner turn him off,  
which was accordingly done, when  
having hang'd about half an hour, he  
was cut down and quarter'd accord-  
ing to Sentence, and his Quarters to  
be disposed of, at the pleasure of the  
King.

and then was carried to  
the place of execution, where he  
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**This may be Printed, R. I. S.  
October the 30th. 1685**

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**LONDON, Printed by D. M., 1685.**

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